

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 SARAH WAGSTAFF, and
10 KEITH CHAPLIN,

11 Plaintiffs,

12 v.

13 FIRST NATIONAL INSURANCE
14 COMPANY OF AMERICA,

15 Defendant.

Case No. C18-406RSL

ORDER GRANTING
STIPULATED MOTION TO
BIFURCATE TRIAL AND
STAY DISCOVERY

This matter comes before the Court on the parties' stipulated motion to bifurcate trial and stay discovery. Dkt. # 12. This matter's underlying case involves an insurance dispute arising from an October 2015 car accident. Plaintiffs bring claims based on underinsured motorist (UIM) coverage, bad faith, breach of fiduciary duty, and violations of Washington's Consumer Protection Act and Insurance Fair Conduct Act. The parties jointly move the Court to bifurcate trial for the UIM claims and stay discovery in the remaining claims.

Rule 42 of the Federal Rules of Civil Procedure provides that the Court may order a separate trial of one or more claims "[f]or convenience, to avoid prejudice, or to expedite and economize." Fed. R. Civ. P. 42(b). A court's bifurcation decision is committed to its discretion. Danjaq LLC v. Sony Corp., 263 F.3d 942, 962 (9th Cir. 2001). Given the parties' stipulation and their representation that bifurcating trial will save time and resources, the Court finds that bifurcation is appropriate for purposes of convenience and judicial economy.

ORDER GRANTING STIPULATED MOTION TO
BIFURCATE TRIAL AND STAY DISCOVERY - 1

1 For the foregoing reasons, the Court orders that trial and discovery in plaintiffs' UIM
2 claims be bifurcated from the remaining claims. Discovery in plaintiffs' extra-contractual claims
3 is hereby stayed until the resolution of the first trial. The parties are instructed to confer on
4 available trial dates and to contact Teri Roberts, the judicial assistant, by telephone at (206) 370-
5 8810. The Court will issue a separate scheduling order resolving future dates and deadlines.

DATED this 15th day of May, 2018.

Mrs Casnik

Robert S. Lasnik
United States District Judge

ORDER GRANTING STIPULATED MOTION TO BIFURCATE TRIAL AND STAY DISCOVERY - 2